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SENATE BILL 2814 By
Burks

HOUSE BILL 2754
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 2, Part 4 and Title 40, Chapter 33, Part 2, relative to the use of state surplus motor vehicles and forfeited motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 2, Part 4, is amended by adding the following as a new section:

Section 12-2-4___. When an article of personal property declared to be surplus pursuant to this part is a usable motor vehicle, before such vehicle is sold, transferred or otherwise disposed of, it shall first be offered to the commissioner of the department of human services. The commissioner of human services, or the commissioner's designee, shall determine whether the surplus motor vehicle is suitable for use by a family violence shelter. If the commissioner, or the commissioner's designee, determines that the vehicle is suitable for use by a family violence shelter, the commissioner shall so state in writing to the commissioner of general services and possession of and title to such vehicle shall be transferred to the department of human services without cost to such department. If the commissioner, or the commissioner's

designee, determines that the vehicle is not suitable for use by a family violence shelter, it shall be disposed of in accordance with this part.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 33, Part 2, is amended by adding the following as a new section:

Section 40-33-2____. If property declared forfeited pursuant to this part is a usable motor vehicle, prior to it being sold, transferred or otherwise disposed of, it shall first be offered to the commissioner of the department of human services. The commissioner of human services, or the commissioner's designee, shall determine whether the forfeited motor vehicle is suitable for use by a family violence shelter. If the commissioner, or the commissioner's designee, determines that the vehicle is suitable for use by a family violence shelter, the commissioner shall so state in writing to the administrative head of the seizing agency and possession of and title to such vehicle shall be transferred to the department of human services without cost to such department. If the commissioner, or the commissioner's designee, determines that the vehicle is not suitable for use by a family violence shelter, it shall be disposed of in accordance with this part.

SECTION 3. The commissioner of the department of human services shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5. Such rules shall include the criteria by which a motor vehicle is determined to be suitable for use by a family violence shelter, the method by which motor vehicles acquired pursuant to this act will be distributed to such shelters and the rules governing use of such vehicles by such shelters.

SECTION 4. For the purpose of the commissioner of the department of human services promulgating rules and regulations to effectuate the purposes of this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect on September 1, 2000.

